

RESOLUTION NO. 78-166

BEFORE THE CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA

INDUSTRIAL WAY AND BECKMAN ROAD ASSESSMENT DISTRICT NO. 1

RESOLUTION OF PRELIMINARY APPROVAL OF
ENGINEER'S REPORT

RESOLVED, by the City Council of the City of Lodi, California,
that

WHEREAS, on the 15th day of November, 1978, said Council did adopt its Resolution No. 78-165, a Resolution of Intention to Acquire and/or Construct Improvements in the above named assessment district, and did refer the proposed acquisitions and improvements to the Engineer of Work of said City, he being the officer in charge and control of the acquisition and construction of public improvements in and for said City of the kind described therein and being a competent person employed by said City for that purpose, and did therein direct said Engineer of Work to make and file with the City Clerk of said City, a report in writing all as therein more particularly described, under and pursuant to the provisions of the Municipal Improvement Act of 1913;

WHEREAS, said Engineer of Work has made and filed with the City Clerk of said City a report in writing as called for in said Resolution of Intention, and under and pursuant to said Act, which report has been presented to this Council for consideration;

WHEREAS, said Council has fully considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that neither said report nor any part thereof requires, or should be modified in any respect;

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That the plans and specifications for the proposed improvements to be made, contained in said report, be, and they are hereby, preliminarily approved and confirmed.

2. That the Engineer's estimate of the itemized and total costs and expenses of said acquisitions and improvements and of the incidental expenses in connection therewith, contained in said report, be, and each of them are hereby, preliminarily approved and confirmed.

3. That the diagram showing the assessment district referred to and described in said Resolution of Intention and also the boundaries and dimensions of the respective subdivisions of land within said assessment district as the same existed at the time of the passage of said Resolution of Intention, each of which subdivisions have been given a separate number upon said diagram as contained in said report, be, and it is hereby, preliminarily approved and confirmed.

4. That the proposed assessments upon the several subdivisions of land in said assessment district, in proportion to the estimated benefits to be received by such subdivisions, respectively, from said acquisitions and improvements, and of the incidental expenses thereof, as contained in said report, be, and they are hereby, preliminarily approved and confirmed.

5. That the maps and descriptions of all acquisitions to be made, as contained in said report, be, and the same are hereby, preliminarily approved and confirmed.

6. That said report shall stand as the Engineer's report for the purposes of all subsequent proceedings had pursuant to said Resolution of Intention.

7. That pursuant to the provisions of Section 10503.1 of the Streets and Highways Code of the State of California, incorporating the provisions of Section 5254.5 of said Code, the amount of liquidated damages to be paid by the contractor to the City for failure to complete the work of improvements within the time limit specified in the contract documents is hereby fixed at the sum of Fifty Dollars (\$50.00) per day for each calendar day from the time prescribed to complete the work to its actual completion.

DATED: November 15, 1978

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 78-166 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held November 15, 1978, by the following vote:

AYES: Councilmen - Hughes, McCarty and Pinkerton

NOES: Councilmen - None

ABSENT: Councilmen - Katnich and Katzakian

ABSTENTIONS: Councilmen - None



ALICE M. REIMCHE